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JCP 13 U.S. PTO10-02-00  
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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 46]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 000 ]
5. Oath or Declaration [ Total Pages 11 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

Attorney Docket No.	P00245US D
First Inventor	Charles J. Arntzen
Title	VACCINES EXPRESSED IN PLANTS
Express Mail Label No.	EL515383035US

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Other: Express Mail Certificate.

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No.: 09, 111,330

Prior application information: Examiner Mosher, M. Group / Art Unit: 1643

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	22885 (Insert Customer No. or attach bar code label here)	<input type="checkbox"/> or <input type="checkbox"/> Correspondence address below
--	--	---

Name	Heidi S. Nebel			
Address	Zarley, McKee, Thomte, Voorhees & Sease, P.L.C.			
City	Des Moines	State	Iowa	Zip Code
Country	USA	Telephone	515-288-3667	Fax

Name (Print/Type)	Heidi S. Nebel	Registration No. (Attorney/Agent)	37,719
Signature	9/29/00		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



PATENT  
Attorney Docket: P00245USD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Arntzen, Charles J., et al. ART UNIT: 1641  
SERIAL NO: (Continuation of 09/111,330)  
FILED:  
TITLE: VACCINES EXPRESSED IN PLANTS



STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

PRODIGENE, INC., the assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

An assignment from inventor Charles J. Arntzen to Terramed, Inc. was recorded in the PTO in the parent case (SN 07/750,049 filed August 26, 1991) at Reel/Frame 8138/0405 on September 26, 1996; from inventor Dominic Man-Kit Lam to Terramed, Inc. was recorded in the PTO in the parent case (08/479,742 filed June 7, 1995) at Reel/Frame 8763/0499 on October 7, 1997; from Terramed, Inc. to Prodigene, Inc. was recorded in the PTO in the parent

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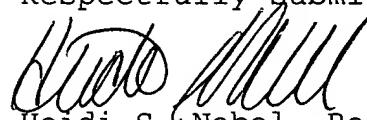
CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, prior to 5:00 p.m. on the 29th day of September, 2000.

*Patricia E. Wilson*  
Patricia E. Wilson  
Express Mail Label # EL515383035US

case (SN 08/479,742 filed June 7, 1995) at Reel/Frame 8763/0450  
on October 7, 1997.

Respectfully submitted,



Heidi S. Nebel, Reg. No. 37,719  
ZARLEY, MCKEE, THOMTE, VOORHEES  
& SEASE  
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Des Moines, Iowa 50309  
Phone No. (515) 288-3667  
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**CUSTOMER NO: 22885**

Attorneys of Record

- pw -

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# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 564.00)

## Complete if Known

Application Number	01-517614
Filing Date	September 29, 2000
First Named Inventor	Charles J. Arntzen
Examiner Name	Mosher, M.
Group Art Unit	1643
Attorney Docket No.	P00245US1

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 26-0084  
Deposit Account Name ZARLEY, McKEE, THOMTE

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	380	216 190 Extension for reply within second month	
117	870	217 435 Extension for reply within third month	
118	1,360	218 680 Extension for reply within fourth month	
128	1,850	228 925 Extension for reply within fifth month	
119	300	219 150 Notice of Appeal	
120	300	220 150 Filing a brief in support of an appeal	
121	260	221 130 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,210	241 605 Petition to revive - unintentional	
142	1,210	242 605 Utility issue fee (or reissue)	
143	430	243 215 Design issue fee	
144	580	244 290 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Petitions related to provisional applications	
126	240	126 240 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	690	246 345 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249 345 For each additional invention to be examined (37 CFR § 1.129(b))	
179	690	279 345 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

SUBTOTAL (2) (\$ 219.00)

SUBTOTAL (3) (\$)

Reduced by Basic Filing Fee Paid

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Heidi S. Nebel	Registration No. (Attorney/Agent)	37,719	Telephone	515-288-3667
Signature	9/29/00				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



CERTIFICATE OF MAILING

I hereby declare that the attached Patent Application and filing fee has been mailed by U.S. Postal Service's "Post Office to Addressee" Express Mail service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, Box Patent Application, prior to 5:00 p.m. on the 29th day of September, 2000.

  
Patricia E. Wilson  
Patricia E. Wilson  
Express Mail label EL515383035US

SCANNED, # 14

jc913 U.S. PTO  
09/676734  
09/29/00

